

53-13-111 Peace officers serving in a reserve or auxiliary capacity.

- (1)
 - (a) Nothing in this chapter shall preclude any law enforcement agency of the state or any of its political subdivisions from utilizing a sworn and certified peace officer in a reserve or auxiliary capacity.
 - (b) A reserve or auxiliary officer has peace officer authority only while engaged in the reserve or auxiliary activities authorized by the chief or administrator of the agency the officer serves and shall only exercise that spectrum of peace officer authority:
 - (i) that the supervising agency is empowered to delegate; and
 - (ii) for which the officer has been trained and certified.
- (2) While serving as a nonpaid volunteer in a reserve or auxiliary capacity, or working part-time for fewer hours than that which would qualify the officer as an "employee" under state or federal law, a peace officer is entitled to benefits in accordance with Title 67, Chapter 20, Volunteer Government Workers Act.
- (3) The agency the reserve or auxiliary officer serves shall ensure that the officer meets the basic and in-service training requirements of the peace officer classification in which the officer will function.

Amended by Chapter 92, 1999 General Session